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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Mark L. DiOrio

Assignee:

Celerity Research, Inc.

Title:

DEVICE PROBING USING A MATCHING DEVICE

Serial No.:

10/718,031

Filing Date:

November 19; 2003

Examiner:

Jimmy Nguyen

Group Art Unit:

2829

Docket No.:

MTB005US1P

San Jose, California July 24, 2006

Mail Stop Amendment COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT WITH CERTIFICATION UNDER 37 CFR § 1.97(e)(1)

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicants wish to call to the attention of the Examiner the following documents, which were cited in the Supplementary European Search Report dated June 12, 2006 for the corresponding European Patent Application No. 04750841.1.

Legible copies of the documents, other than those documents marked with an asterisk adjacent to the cite no. in the accompanying list, are enclosed. The documents marked with an asterisk are U.S. patents or U.S. patent application publications to which the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting copies applies.

Citation of the above documents shall not be construed as:

- 1. an admission that the documents are necessarily prior art with respect to the instant invention;
 - 2. a representation that a search has been made, other than as described above; or
- 3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

THE PATENT LAW OFFICES OF DAVID MILLERS

5560 ASHFIELD COURT SAN JOSE, CA 95120 PH: (408) 927-6700 FX: (408) 927-6701 The undersigned hereby certifies in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

No fee is believed required for submission of this information disclosure statement. However, the Commissioner is hereby authorized to charge any fees that may be required for consideration of this information disclosure statement to Deposit Account No. 50-1767.

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Respectfully submitted,

David Millers

Attorney for Applicants

Reg. No. 37,396

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

Complete if Known				
Application Number	10/718,031			
Filing Date	November 19, 2003			
First Named Inventor	Mark L. DiOrio			
Group Art Unit	2829			
Examiner Name	Jimmy Nguyen			
Attorney Docket Number	MTB005US1P			

				U.S. PATENT DOCUM	MENTS		
Examiner Initials *	Cite No.1	U.S. Patent Document Number Kind Code ² (if known) 5,808,474		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear	
	1*			Hively et al.	09-15-1998		
	2*	6,292,007	B1	Potter	09-18-2001	ALL	
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	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document Kind Code ⁵			Name of Patentee or Applicant of	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	
		Office ³		if known)	Cited Document	MM-DD-YYYY	Figures Appear	T ₆
_	3	EP	0845677	A1	W.L. Gore & Associates	06-03-1998	ALL	
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Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark hee if English language Translation is attached.